

## REMARKS

Applicant disagrees that the subject matter “admits of illustration” and does not believe that drawings are needed and therefore requests that the examiner withdraws this rejection.

Applicant submits a replacement abstract herewith to address the objections raised by the examiner.

### Rejections under 35 USC 112

The claims have been amended to overcome the rejections under 35 USC 112, second paragraph.

With respect to the rejections under 35 USC 112, first paragraph, Applicant disagrees with the examiner. The description of device is present so that adequate description is present since one of ordinary skill in the art, reading the description, would understand how the device operates to encode or decode the coded bitstream and thus there is adequate description.

### Rejections Under 35 USC 101

In response to the rejection of claims 1-3 and 6-12, Applicant has amended the claims to overcome these rejections. In particular, claim 1 (and claims 2-3, 8 and 10-11 which depend from claim 1) are directed to a method which is a statutory class and the rejections of these claims as being directed to non-statutory subject matter should be withdrawn.

Claim 4 has been amended so that it is directed to an apparatus which is a statutory class and the rejection of this claim as being directed to non-statutory subject matter should be withdrawn.

Claim 6 (and claims 7, 9 and 12) which depend from claim 6) are directed to a method which is a statutory class and the rejections of these claims as being directed to non-statutory subject matter should be withdrawn.

## CONCLUSION

In view of the above, it is respectfully submitted that the claims are allowable over the prior art cited by the Examiner and early allowance of these claims and the application is respectfully requested.

The Examiner is invited to call Applicant’s attorney at the number below in order to speed the prosecution of this application.

The Commissioner is authorized to charge any deficiencies in fees and credit any overpayment of fees to Deposit Account No. 07-1896.

Respectfully submitted,

DLA PIPER LLP US

Dated: March 6, 2011

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